IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

WP(C).No. 2515 of 2007(Y)

PETITIONER:

SIVAKUMAR C.S. SECRETARY,
KODUMBU GRAMA PANCHAYATH, PALAKKAD DISTRICT,
PALAKKAD RESIDING AT PUTHENPURA HOUSE,
PALLAVOOR P.O. PALAKKAD.

BY ADV. SRI.S.KRISHNAMOORTHY

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, DEPARTMENT OF PANCHAYATH,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PANCHAYATHS,
O/O.THE DIRECTORATE OF PANCHAYATHS,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF PANCHAYATH,
O/O.D.D.P.PALAKKAD.

4. ELIAMMA SEBASTIAN, SECRETARY,
KAVUSSERRY GRAMA PANCHAYATH,
PALAKKAD DISTRICT.

5. SURESH KUMAR.D. SECRETARY,
ANAKKARA GRAMA PANCHAYATH,
PALAKKAD.

R1 TO 3 BY GOVT. PLEADER SMT.LAKSHMI RANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

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W.P.(C).No.2515 OF 2007-Y.

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Dated this the 13th day of February, 2007.

J U D G M E N T

The petitioner, while working as the Secretary of Kodumb Grama Panchayat in Palakkad district, was transferred as per Ext.P4 order passed by the Director of Panchayats on 15-1-2007. In the place of the petitioner, the 4th respondent was posted. It appears that the petitioner has been relieved from the Kodumb Grama Panchayat with direction to report for duty in Anakkara Grama Panchayat. Feeling aggrieved by Ext.P4 order, this writ petition was filed. During the pendency of the writ petition Ext.P7 representation has been filed by the petitioner before the 1st respondent seeking for a review of Ext.P4 order. It appears that he has applied for leave as stated in Ext.P6 leave application.

2. Counsel for the petitioner submits that the petitioner is a physically handicapped person and that the direction to report for duty at Anakkara Grama Panchayat which is about 85 Kms. away from the present station will cause extreme hardship and dislocation to him. He has completed only three months service in Kodumba Grama

Panchayat and that there is likelihood of one vacancy arising in Kodumba Grama Panchayat when respondent No.4 is likely to be promoted to the next higher post and that the petitioner's case, at any rate, can be considered for a posting in that vacancy.

3. Respondent No.1 is directed to consider Ext.P7 as stated above and dispose of the same within six weeks from the date of receipt of a copy of this judgment.

4. The respondent No.3 shall consider Ext.P6 application for leave and pass orders in accordance with the relevant rules within one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

K.K.DENESAN, JUDGE.

kvs/-